

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-FLINT**

IN THE MATTER OF: Jasin & Deborah Monier

**Case No.: 09-33201-dof
Chapter: 13
Judge: Daniel Opperman**

Debtor(s) /

POST CONF FEE # 1 APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF POST-CONFIRMATION
ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE OF CHAPTER 13 PLAN
PURSUANT TO L.B.R. 9014-1 AND 2016-1(a)(E.D.M.) FROM 09/04/09 THROUGH 09/21/12

NOW COMES Debtor(s) Counsel, Frego & Associates, PLC., Attorney at Law, Attorney for Debtor(s), and moves this Honorable Court as follows:

1. Pursuant to **L.B.R. 2016-1 (E.D.M.)** Debtors counsel seeks
 - a. compensation in the amount of \$ **1,926.00**
 - b. expenses in the amount of \$ **32.09**
 - c. balance of retainer on deposit with debtors attorney \$ **0.00**
2. Pursuant to **L.B.R. 2016-1(a)(2)(E.D.M.)**, said legal services are for the time period from 09/04/09 to 09/21/12.
3. Pursuant to **L.B.R. 2016-1(a)(3)(E.D.M.)** the undersigned counsel for Debtor provides the following narrative summary: Attached as Exhibit 1 is the Proposed Order for Attorney Fees, and the itemized time record and breakdown of hourly rates is attached as a combined Exhibit 5 and 7. That counsel for Debtor(s) performed the following legal services, which has allowed the confirmation of the Chapter 13 Plan and the continued protection of the Debtor(s) and Debtor(s) assets by the Bankruptcy Court: Review of various pleadings; calculation of Plan completion; preparation of assorted pleadings; reviewed Motion to Lift filed by Huntington Bank; reviewed Order Granting Motion to Lift; reviewed Motion to Lift re 2003 Chevy Monte Carlo; reviewed Order Modifying Stay; reviewed Motion to Refund Motion for Relief; Reviewed Order Granting Motion to Refund; reviewed Affidavit of Default from Huntington National Bank; reviewed Order Granting Final Relief from Stay as to Huntington National Bank; case review, appointment prep, review 13 Network & Plan; telephone conference with Wife regarding current case status and change in client circumstances, discussed plan and options for case completion, discussed obligations to Trustee and Motion to Lift; prepared Response to Motion to Lift; case review, appointment prep, review 13 Network & Plan; office conference with clients regarding case issues/problems, discussed change in circumstances and plan; reviewed Motion to Lift filed by Wells Fargo; case review, appointment prep, review 13 Network & Plan; telephone conference with clients regarding current case status and Motion to Lift, discussed plan payments and obligations to Trustee; prepared Amended Voluntary Petition for Husband, drafted Response to Motion to Lift; telephone conference with creditor re Motion to Lift; reviewed Stipulation Resolving Motion to Lift; reviewed Order for Relief from Stay; reviewed Amended Order to Lift Stay regarding 2003 Chevy Tahoe; review Amended POC #1, #2; review of Proofs of Claim #8, #9; Trac/13 network review re ongoing payments and case completion; ran Trac/13 network review to determine client options; Trac/13 Network review regarding ongoing plan payments; Trac/13 network review re ongoing payments and case completion; communication to/from clients, Trustee and creditors via correspondence; all conferences with Debtor(s), (including office conferences and telephone calls), and other miscellaneous activities.
4. Pursuant to **L.B.R. 2016-1(a)(4)(E.D.M.)** There were no adversary proceedings involving this case.
5. Pursuant to **L.B.R. 2016-1(a)(5)(E.D.M.)** The current status of this case is in the 36th month of a 60-month plan. Pursuant to **L.B.R. 2016-1(a)(6)(E.D.M.)** This Fee Application impacts the plan in the following ways: distribution to Creditors may be delayed as a result of the payment of this administrative expense and the Debtor(s) plan may run longer than originally proposed, in proportion to the amount requested.
6. Pursuant to **L.B.R. 2016-1(a)(6)(E.D.M.)** Debtor's counsel expects to provide professional services in the future as required for both the maintenance and administration of the plan.
7. Pursuant to **L.B.R. 2016-1(a)(7)(E.D.M.)** Unpaid Administrative expenses \$ 0.00
8. Pursuant to **L.B.R. 2016-1(a)(8)(E.D.M.)** In no instance is an award sought for services of more than one attorney or paralegal per task performed and there is no agreement to share compensation, other than with associates in the firm.
9. Pursuant to **L.B.R. 2016-1(a)(9)(E.D.M.)** The total amount of fees previously approved is \$ 3,500.00 and expenses \$ 0.00 for services rendered through 09/03/09.
10. Pursuant to **L.B.R. 2016-1(a)(10)(E.D.M.)** The Debtor(s) were given the opportunity to review this application at least seven(7) days before the actual filing of this application, the application was mailed to the client on 9/24/12, and no response or objection prior to its filing with the court.

WHEREFORE, the undersigned counsel for Debtor(s) moves for award and approval of Post-confirmation attorney fees and

costs in the amount of \$ **1,926.00** in fees and \$ **32.09** costs for the period of **09/04/09 through 09/21/12** for total compensation of \$ **1,958.09**.

Dated: 10/1/12

/s/ Glen T. Turpening

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**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT**

IN THE MATTER OF: **Jasin & Deborah Monier**

**Case No.: 09-33201-dof
Chapter: 13
Judge: Daniel Opperman**

Debtor(s) /

**NOTICE OF POST CONF FEE # 1 APPLICATION FOR AWARD AND APPROVAL OF
PAYMENT OF POST-CONFIRMATION ATTORNEY FEES AS AN
ADMINISTRATIVE EXPENSE OF CHAPTER 13 PLAN**

Frego & Associates, PLC., Attorney for the Debtor(s), has filed papers with the court for AWARD AND APPROVAL OF PAYMENT OF POST-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE OF CHAPTER 13 PLAN.

<u>Fees Requested:</u>	\$ 1,926.00
<u>Expenses Requested:</u>	\$ 32.09
<u>Balance of Retainer:</u>	\$ 0.00

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the Application for Award and Approval of Payment of Attorney Fees as an Administrative Expense of Chapter 13 Plan, or if you want the court to consider your views on the application, within **twenty-one (21)** days from the date of service of this Application you or your attorney must:

1. File with the court a written response or an answer, explaining your position at:

United States Bankruptcy Court
226 W. Second St.
Flint, Michigan 48502

Your response or answer must comply with F.R.Civ.P. 8(b), (c) and (e).

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before **21st** day from the date of service of this application.

You must also mail a copy to:

Carl Bekofske, 400 N. Saginaw Ste. 331, Flint, MI 48502

Frego & Associates, PLC., Attorney at Law, 23843 Joy Rd, Dearborn Heights, MI 48127.

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: 10/1/12

/s/ Glen T. Turpening
Glen T. Turpening P65230
James P. Frego P55727
Frego & Associates, PLC.
Attorney for Debtor(s)
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ORDER AWARDING AND APPROVING PAYMENT OF POST-CONFIRMATION
ATTORNEY FEE APPLICATION AS AN ADMINISTRATIVE EXPENSE OF CHAPTER 13 PLAN
PURSUANT TO L.B.R. 9014-1 AND 2016-1(a)(E.D.M.) FROM 09/04/09 THROUGH 09/21/12

This matter having come before the Court upon the application of the attorney for the Debtor(s), all interested parties having been served with notice of the application and the provisions of L.B.R. 9014-1 and 2016-1(a)(E.D.M.) having been met, no objections to the application having been received and a certification of no response having been filed, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED:

1. The Court approves Applicant's fees and expenses as follows:

PRIOR AWARD FOR FEES:	\$ 3,500.00	
PRIOR AWARD FOR COSTS:	\$ 0.00	
TOTAL AWARD TO DATE:		\$ 3,500.00
THIS AWARD FOR FEES:	\$ 1,926.00	
THIS AWARD FOR COSTS:	\$ 32.09	
TOTAL THIS AWARD:		\$ 1,958.09
Amount paid directly by Debtor(s):	\$ 0.00	
Balance to be paid from Chapter 13 Plan:	\$ 1,958.09	
GRAND TOTAL FEES AND COSTS:		\$ 5,458.09

2. This award covers services rendered and expenses incurred from 09/04/09 through 09/21/12.

PROPOSED ORDER - EXHIBIT "1"